

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

JEFFREY STUART NIEDELMAN

AFFIDAVIT

Bankruptcy Case
No. 10-24453 (RDD)

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Jeffrey Stuart Niedelman, being duly sworn deposes and says,

1. I am the Petitioner in the above captioned Chapter 13 Bankruptcy Petition, and I make this Affidavit in support of the motion to withdraw and dismiss the instant action brought by my attorney, Scott B. Ugell, Esq. of the Ugell Law Firm, P.C..

2. I respectfully assert that on or about January, 2010 I retained Desiree De Moya, Esq. to prepare and filed a Chapter 13 Bankruptcy Petition in the Southern District of New York Bankruptcy Court.

3. I respectfully assert that on November 29th, 2010 Desiree De Moya filed a petition on my behalf, which I now know to be incomplete, hereinafter referred to as the "Petition".

4. I respectfully assert that I there are facts and information which are not made a part of the Petition, which thereby render the Petition incomplete. Such information, particularly regarding a bank account I have access to, containing a substantial amount of liquid funds, which although I made clear to my attorney, was omitted from the Petition. I approved the filing of the Petition hastily, and without realizing this information was not a part of the Petition.

4. I respectfully assert that I became suspicious of the Petition and sought a second opinion. On or about December 16th, 2010 I met with Scott B. Ugell, Esq. of the Ugell Law Firm, P.C., and after a careful discussion of my case, and after Mr. Ugell reviewed the Petition, he alerted me that it was not in my best interest to have filed the Petition, and I should move immediately to have the Petition withdrawn and dismissed before I put myself in jeopardy of serious financial loss.

5. On December 17th, 2010 Desire De Moya, Esq. signed a Consent To Change Attorney form, fully executing said document which was signed by Mr. Ugell and myself a day prior. This document is attached herein as Exhibit "A".

WHEREFORE, it is respectfully submitted that the court approve the Motion to withdraw and Dismiss my Chapter 13 Petition herein, without prejudice, and for any further relief as the court may deem just and proper.


Jeffrey Stuart Niedelman

Sworn to before me on
January 10, 2011



Notary Public

SCOTT B. UGELL
NOTARY PUBLIC, STATE OF NEW YORK
NO. 4863973
QUALIFIED IN ROCKLAND COUNTY
COMMISSION EXPIRES JUNE 9, 2014

EXHIBIT “A”

United States Bankruptcy Court
Southern District of New York

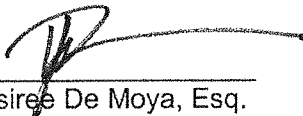
In re Jeffrey Stuart Niedelman

Debtor(s)

Case No. 10-24453 9 (RDD)
Chapter 13

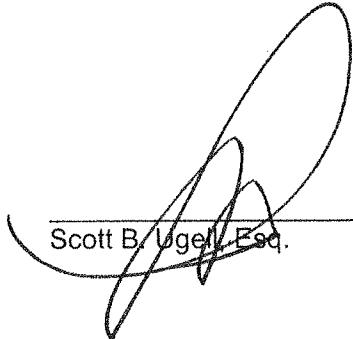
IT IS HEREBY CONSENTED THAT Desiree De Moya be substituted as attorney by Scott B. Ugell, Esq. of the Ugell Law Firm, P.C. for the undersigned party in the above entitled action in place and stead of the undersigned attorney as the date hereof.

Dated: New City, New York
December 17, 2010



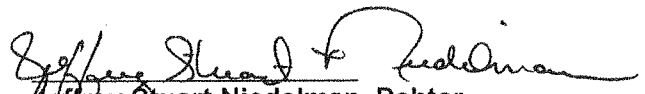
Desiree De Moya, Esq.

Dated: New City, New York
December 16, 2010



Scott B. Ugell, Esq.

Dated: New City, New York
December 16, 2010



Jeffrey Stuart Niedelman, Debtor